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City of Newark Police Department

UNITED STATES DISTRICT COURT
DISTRICT COURT OF NEW JERSEY

SHARON DAVIS,

Plaintiff,

vs.

CITY OF NEWARK, CITY OF NEWARK,
POLICE DEPARTMENT, ANTHONY F.
AMBROSE III, individually and under
color of State law as Police Director for
the City of Newark, IRVING BRADLEY,
JR., individually and under color of
State law as Police Chief for the City of
Newark, LIEUTENANT JOHN SCOTT-
BEY, individually and under color of
State law as Captain for the City of
Newark Police Department, ADOLPH
VASQUEZ, individually and under color
of State law as Sergeant for the City of
Newark Police Department, JOHN AND
JANE DOES 1-99, Fictitious names;
XYZ CORPORATIONS 1-10; municipal
or governmental entities and their
supervisors, agents and employees

Defendants.

Civil Action No. 04-5317 (GEB)(MF)

NOTICE OF MOTION TO DISMISS THE
ACTION PURSUANT TO FED.R.CIV.P 37
AND L.CIV.R. 37.1

MOTION RETURNABLE:
SEPTEMBER 21, 2009

TO:

Sharon Davis
P.O. Box 3092
Newark, New Jersey 07103
Plaintiff, *pro se*

Ronald J. Ricci, Esq.
Ricci & Fava, LLC
300 Lackawanna Avenue, Suite 5
West Paterson, New Jersey 07424
Attorney for Defendants Anthony Ambrose,
Irving Bradley, John Scott-Bey and Adolph
Vasquez

RETURNABLE: Monday, September 21, 2009 at 9:00 a.m.

PLACE: Clerk of the Court
M.L. King, Jr., Federal Bldg &
United States Courthouse
50 Walnut Street
Newark, New Jersey 07102

RELIEF SOUGHT: An Order to Dismiss the Action, pursuant to
Fed.R.Civ.P. 37 and L.Civ.R. 37.1

GROUND: Fed.R.Civ.P. 37 and L.Civ.R. 37.1

SUPPORTING DOCUMENTS: Certification of counsel, supporting brief with
exhibits and proposed form of Order.

ORAL ARGUMENT: Motion to be decided on the papers, per Notice
issued by the Honorable Garrett Brown, Jr.
Chief Judge, U.S.D.J., on August 28, 2009

TRIAL DATE: None

JULIEN X. NEALS
CORPORATION COUNSEL
Attorneys for Defendants, City of Newark
and the City of Newark Police Department

BY: /s/ MICHAEL A. OPPICI, ESQ.
Michael A. Oppici, Esq.

Dated: September 2, 2009